

## **FINDINGS, CONCLUSIONS AND DECISION OF THE CITY COUNCIL OF THE CITY OF SEATTLE**

Council Concept Approval for demolition of	)	C.F. 314125
Fire Station No. 32 existing structure and	)	
construction of a new Fire Station No. 32,	)	
located at 4700 38 <sup>th</sup> Ave. SW, and request to	)	DPD Application #3014980
modify certain development standards	)	
(Project No. 3014980, Type V.)	)	FINDINGS, CONCLUSIONS
	)	AND DECISION

### **Background**

The Finance and Administrative Services Department (FAS) has applied for a Council Concept Approval to demolish an existing public facility (Fire Station No. 32) and construct a new Fire Station No. 32. FAS has also requested waivers from two development standards to allow a fire station use at street level along a Principal Pedestrian Street in a Pedestrian-designated zone and to allow parking at street level along the street-facing façade without an intervening use.

The site is located on the southeast corner of 38th Avenue SW and SW Alaska Street in the West Seattle Junction Hub Urban Village. The 11,220 square foot site is zoned Neighborhood Commercial 3 Pedestrian 40 (NC3P-40). The site contains Fire Station No. 32, a two-story 9,000 square foot station originally built in 1967. The lot abuts an alley on the south and east sides. On the other side of the alley, to the south, is a Single Family 5000 zoning district. The NC3P-40 district extends across the alley to the east.

On November 13 2014, the Department of Planning and Development (DPD) issued its Analysis and Recommendations and published a Notice of Public Hearing for Council to consider the request for concept approval. DPD recommended approval of the project.

On December 16, 2014, the City Council's Planning, Land Use and Sustainability Committee (PLUS Committee) held a public hearing on DPD's recommendation and received a briefing on the project prior to making its recommendation to the full Council.

### **Findings of Fact**

The City Council hereby adopts the following Findings of Fact:

1. Fire Station No. 32 is located in the West Seattle Junction neighborhood at the intersection of SW Alaska St and 38<sup>th</sup> Ave SW. An alley is located to the east and south of the site.
2. The project site is zoned Neighborhood Commercial 3-40 with a Pedestrian designation (NC3P-40). Lots to the north, west and east of the site are zoned Neighborhood Commercial. Lots to the south of the site are zoned single family (SF5000).
3. FAS owns the site.

4. The site contains approximately seven feet of grade change from the northwest corner of the site to the southeast corner of the site. While the SW Alaska St. property line is mostly flat, the east and west property lines along 38<sup>th</sup> Avenue SW to the west and the alley to the east contain between 5-7 feet of slope along the length of the lot line.
5. The proposed public facility is subject to a State Environmental Policy Act (SEPA) threshold determination and SEPA requirements according to Seattle Municipal Code (SMC) Table B for Section 25.05.800.A.2.c because the project proposal includes the construction of a new building that exceeds 4,000 square feet of gross floor area in a neighborhood commercial zone. The applicant submitted an environmental checklist on March 24, 2014 and the Department issued a Determination of Non-Significance on November 6, 2014.
6. Public facilities, including fire stations, may be permitted in commercial zones as a council conditional use when not meeting development standards pursuant to SMC subsection 23.47A.004.A.3. Development standards for public facilities in commercial zones are found in SMC Section 23.47A. Section 23.76.064 includes provisions for the City Council to grant conditional approval and to waive or modify applicable development standards, accessory use requirements, special use requirements or conditional use criteria for City facilities. SMC 23.76.064 classifies this decision as a legislative (Type V) action. FAS seeks a Council Concept Approval under SMC 23.76.064 to modify two development standards as shown in Table A.

Table A: Proposed Modifications to Development Standards

Development Standard	Code Requirement	Proposed Modification
SMC 23.47A.005.D.1 and SMC 23.47A.008.C.1	Specific uses (not including a Fire Station Use) are required at street level facing a Principal Pedestrian Street in a Pedestrian District.	A fire station is proposed at street level facing a Principal Pedestrian Street in a Pedestrian District.
SMC 23.47A.032 B1b	Parking at street-level must be separated from the street-facing façade by another permitted use.	Parking is proposed along the SW Alaska Street façade.

7. In making a recommendation to Council, SMC 23.76.050 requires that the DPD Director evaluate the proposal based on the following standards and criteria:
  1. The written recommendations or comments of any affected City departments and other governmental agencies having an interest in the application or request;
  2. Responses to written comments from the public;
  3. An evaluation of the proposal based on the standards and criteria for the approval sought and consistency with applicable City policies;

4. All environmental documentation, including any checklist, EIS or DNS; and
5. The Director's recommendation to approve, approve with conditions, or deny a proposal.
8. The following findings were included in the Analysis and Recommendation of the DPD Director concerning the project's compliance with criteria in SMC 23.76.050<sup>1</sup>:
  1. No written recommendations or comments were received from affected City departments and/or other governmental agencies having an interest in the application.
  2. One public comment was received from a neighbor of the fire station during the public comment period, which ended on November 2, 2014. The commenter expressed concern regarding anticipated construction noise and noise generated from the fire trucks. Noise impacts were analyzed in the environmental checklist and in the Director's Determination of Non-significance.
  3. The proposed project generally meets the standards and criteria for the proposed public facility use of Seattle Municipal Code (SMC) 23.47A.004 D3:

*a. The project provides unique services that are not provided to the community by the private sector, such as police and fire stations;*

The project provides a unique service as a fire station.

*b. The proposed location is required to meet specific public service delivery needs;*

The project is located so that it can rapidly and adequately respond to emergencies, which is an essential public service. The station is a neighborhood station servicing the West Seattle Junction.

*c. The waiver or departure from the development standards is necessary to meet specific public service delivery needs;*

A modification is requested to allow a fire station along a Principal Pedestrian Street. SMC 23.47A.005.D.1 lists 14 specific uses [that] are permitted along the SW Alaska Street right-of-way. These uses are deemed to complement and encourage a highly pedestrian public area. Most of them are commercial in nature such as retail, restaurant, lodging and theaters. Parks are allowed as are museums, community centers and religious facilities. Fire stations are not on the list of allowed uses along a Principal Pedestrian street. [SMC 23.47A.008.C.1 requires that 80% of the street front be occupied by the uses in SMC 23.47A.005.D.1.]

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<sup>1</sup> The Director's statements have been abridged and edited for clarity. The full Director's Report is available in Clerk File 314125.

The SW Alaska Street building façade include a two-story transparent façade allowing pedestrians and vehicles to see directly into the apparatus bay. Emergency vehicle exits have been located on 38th Avenue SW to minimize impacts to the pedestrian environment along SW Alaska Street.

Modification of the provisions of SMC 23.47.005.D.1 and 23.47A.008.C.1 to include a fire station as an allowed use [at street level facing a Principal Pedestrian Street in a Pedestrian-designated area] is necessary so that Fire Station No. 32 can be reconstructed in its existing location and should, therefore, be approved.

A modification is requested to allow fire fighter vehicular parking adjacent to the SW Alaska Street right-of-way. SMC 23.47A.032.B.1.b states that street-level parking shall be separated from the street-level, street-facing facade by another permitted use. The requirement to locate parking behind another permitted use is intended to encourage an active, highly pedestrian street façade.

The proposed fire fighter parking is located 47 feet from the SW Alaska Street property line. Extensive landscaping has been provided within the street right-of-way and between the sidewalk and the apparatus apron to screen the parking from pedestrian views. The staff parking for Fire Station No. 32 is necessary for on-duty firefighters to park their vehicles at the beginning of their 24 hr. shifts. Two levels of parking are provided: the upper parking is screened from view by a five foot four inch high concrete and metal screen wall, while the lower parking area is visible from SW Alaska Street.

The rear parking apron of the fire station, an exterior open program area, occupies the 47 foot setback space between the parking and SW Alaska Street. The visibility of the parking from SW Alaska Street is a result of the very tight site area relative to [the] program [of the proposed fire station]. The rear apron, an extension of the fire station apparatus by to the exterior, typically provides rear door access for returning fire apparatuses and space for equipment checks, hose washing, and drilling exercises. For efficiency, the rear apron at this station also provides vehicle access to the lower parking area and access to the trash/recycling storage for collection.

Modification of the provisions of SMC 23.47A.032.B.1.b to allow parking that is not separated from the street facing façade by another permitted use is necessary so that Fire Station No. 32 can be reconstructed in its existing location and should, therefore, be approved.

*d. the relationship of the project to the surrounding area has been considered in the design, siting, landscaping and screening of the facility.*

The proposed Fire Station No. 32 would be located on the same commercially zoned corner as the existing station. The fire station has been designed to locate the most impactful fire station program requirements, the apparatus bay, to the north adjacent to the commercially zoned uses and [SW Alaska Street]. The more impactful fire truck operations are separated from adjacent single family zones to the south by the lower impact crew office and sleeping quarters. A public alley separates the site from [the]

single-family zoned neighborhood to the south. In the north, west and east directions, the proposal fits well with its neighborhood commercial context and is buffered by public rights-of-ways.

The façade facing the single family home will include a variety of high quality materials to minimize the scale of the structure and add texture. Architectural concrete will be used for the circulation stair and first story. Metal panels will be used for the second story.

The relationship of the proposal to the surrounding area has been considered; the building and program siting have been designed to successfully place the facility in its surrounding context.

4. Under SMC Chapter 25.05, FAS completed an environmental checklist on March 24, 2014. DPD reviewed the checklist and issued a Determination of Non-Significance on November 6, 2014 concluding it was adequate and that existing City codes and development regulations applicable to the project would sufficiently mitigate project impacts.
5. Based on the analysis provided above, the Director recommended approval of the proposed fire station with the requested modification to development standards as described in Table A.

### **Conclusions**

The City Council hereby adopts the following Conclusions:

1. Fire Station No. 32 is a City facility as defined in SMC 23.84A.006.
2. Public facilities require Council approval in commercial zones when modifications to development standards are requested.
3. The project provides unique services that are not provided to the community by the private sector,
4. The proposed location of the fire station is required to meet specific public service delivery needs.
5. The waiver or departure from the development standards is necessary to meet specific public service delivery needs.
6. The relationship of the project to the surrounding area has been considered in the design, siting, landscaping, and screening of the facility.

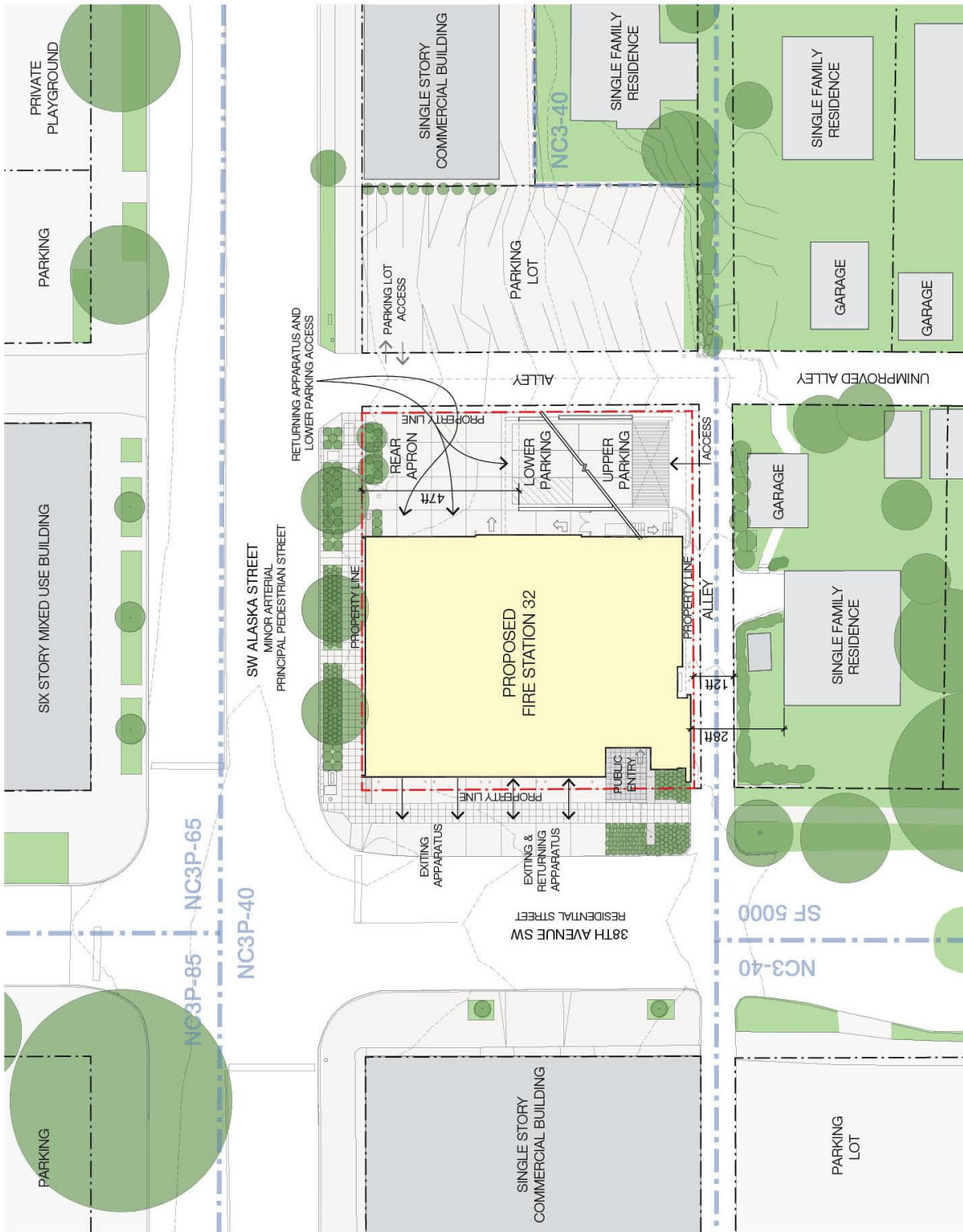
Accordingly, the City Council now concludes that requested concept approval for modifications to the commercial development standards should be granted.

### **Decision**

The City Council hereby GRANTS in concept the proposed modifications to development standards for the project as shown in Table A, above.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
City Council President



**Attachment 1: Site Plan**